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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,326	12/21/2001	Christiaan M.H. Mets	I20 01529 US	8069

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EXAMINER

LY, ANH

ART UNIT

PAPER NUMBER

2162

DATE MAILED: 07/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/026,326	Applicant(s) METS ET AL.	
	Examiner Anh Ly	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) 1-15, 17, 26, 28 and 37-41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16, 18-25, 27, 29-36 and 42-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/03/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is response to Applicants' AMENDMEND filed on 04/09/2006.
2. Claims 16, 18-25, 27, 29-36, 42-54 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
5. Claims 42-47, 48-50, 51, 52, 16, 18-25, 27, 29-32 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No.: 6,065,009 issued to McMahan et al. (hereinafter McMahan) in view of US Patent No.: 6,298,307 issued to Murphy et al. (hereinafter Murphy) and further in view of

6. Claims 42-47, 48-50, 51, 52, 16, 18-25, 27, 29-32, 33-36, 53, and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patent No.: US 6,625,567 issued to McMahan in view of Pub. No.: US 2003/0014400 A1 of Siegel.

With respect to claim 42, McMahan teaches a computer apparatus for accessing data of an industrial process (abstract, state machines or sheet article processing machine having a processor to produce a series of time series or time-tagged data for a machine. The time series or a series of time-tagged which is input from a user, is a data structure: see figs. 1, & 6; col. 1, lines 24-48, and col. 2, lines 35-52), said apparatus comprising:

a processor and an activity framing program that responds to input data entered by a user to define a data structure (figs. 1-6 and col. 1, lines 24-48 and col. 2, lines 35-52 and application for state machines for producing the time tagged data: col. 4, lines 55-67 and col. 5, lines 1-8);

wherein said activity framing program responds to said input data to define said data structure (figs. 1 and 6).

with of said industrial process, at least a first attribute of a first one of said activities, and at least one attribute of a first one of said events, wherein said first event is time framed by said first activity (fig. 3, col. 4, lines 40-67 and col. 5, lines 1-18); and

wherein said framing program further responds to a request by using said data structure to access said data of said industrial process to retrieve event data of said first event (searching or retrieving event data from log file storing the time series data: col. 6, lines 35-55).

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly teach a plurality of activities and events and identifies said first activity and said first attribute of said first activity.

However, Siegel teaches each event including of a plurality of activities and identifying activity (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0267-0268).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegle's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

With respect to claim 43, McMahan teaches a computer apparatus for accessing data of a process as discussed in claim 42.

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly wherein said first attribute of said first activity has an attribute value that is linked to said first event, and wherein said request additionally identifies said attribute value.

However, Siegel teaches each event including of a plurality of activities and identifying activity (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0267-0268).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegel's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

With respect to claim 44, McMahan teaches a computer apparatus for accessing data of a process as discussed in claim 42.

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly wherein said first attribute identifies an item used in said process and said attribute value identifies a device that is associated with said item and that is linked to said first event.

However, Siegel teaches each event including of a plurality of activities and identifying activity and identifying the device (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0267-0268; computing device and PDAs': section 0089 and fig. 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegel's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

With respect to claim 45, McMahan teaches wherein said first activity further comprises a second attribute, and wherein said first and second attributes define start and end times of said first activity, respectively (fig. 3 and col. 5, lines 9-18).

With respect to claim 46, McMahan teaches wherein said event data is stored in a database (log file: col. 2, lines 20-35 and fig. 2, col. 4, lines 20-35).

With respect to claim 47, McMahan teaches wherein said data structure is stored in one of said database and a separate memory (each state machine has its one memory; col. 1, lines 24-35 and fig. 2, col. 4, lines 20-32).

Claim 48 is essentially the same as claim 42 except that it is directed to a method rather than an apparatus, and is rejected for the same reason as applied to the claim 42 hereinabove.

Claim 49 is essentially the same as claim 43 except that it is directed to a method rather than an apparatus, and is rejected for the same reason as applied to the claim 43 hereinabove.

Claim 50 is essentially the same as claim 44 except that it is directed to a method rather than an apparatus, and is rejected for the same reason as applied to the claim 44 hereinabove.

Claim 51 is essentially the same as claim 42 except that it is directed to a memory media rather than an apparatus, and is rejected for the same reason as applied to the claim 42 hereinabove.

With respect to claim 52, McMahan teaches a method for using a computer to access data of an industrial process that is stored in a memory (abstract, state machines or sheet article processing machine having a processor to produce a series of time series or time-tagged data for a machine. The time series or a series of time-tagged which is input from a user, is a data structure: see figs. 1, & 6; col. 1, lines 24-48, and col. 2, lines 35-52), said method comprising:

generating an access request that is based on a data structure that comprises one or more attributes of a first one of said events, wherein said first event is framed by said first activity (figs. 1-6 and col. 1, lines 24-48 and col. 2, lines 35-52 and application for state machines for producing the time tagged data: col. 4, lines 55-67 and col. 5, lines 1-8; and fig. 3, col. 4, lines 40-67 and col. 5, lines 1-18); and

in response to said access request, using said data structure to access said memory (searching or retrieving event data from log file storing the time series data: col. 6, lines 35-55).

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly teach a plurality of activities and events.

However, Siegel teaches each event including of a plurality of activities (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0267-0268).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegle's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

Claim 53 is essentially the same as claim 52 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 52 hereinabove.

Claim 54 is essentially the same as claim 52 except that it is directed to a memory media rather than a method, and is rejected for the same reason as applied to the claim 52 hereinabove.

With respect to claim 16, McMahan teaches a method for using a computer to access data of a process as discussed in claim 52.

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly teach an identity of each of said attributes and an identity of each said events.

However, Siegel teaches each event including of a plurality of activities and identifying activity and identifying the device (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0267-0268; computing device and PDAs': section 0089 and fig. 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegle's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

With respect to claim 18, McMahan teaches wherein said activity attributes and said event attributes are selected from the group consisting of: time stamp, activity and item used in said industrial process (abstract and col. 2, lines 35-56).

With respect to claim 19, McMahan teaches wherein said item is an equipment, and wherein each of said activity attributes and each of said event

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attributes has an attribute value selected from the group consisting of: date and time, activity identity and device of said equipment used in said industrial process (col. 4, lines 40-67 and col. 5, lines 1-18).

With respect to claim 20, McMahan teaches a method as discussed in claim 52.

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly teach wherein at least one of said event attributes matches at least one of said activity attributes.

However, Siegel teaches each event including of a plurality of activities and identifying activity (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0267-0268).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegle's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

With respect to claim 21, McMahan teaches wherein said event data is linked to said device of said equipment (abstract and fig. 1, col. 3, lines 60-67 and col. 4, lines 1-18).

With respect to claims 22-24, McMahan teaches a method for using a computer to access data of a process as discussed in claim 52.

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly teach wherein said request identifies said first event with a reference selected from the group consisting of: time based reference with respect to an interval of said first activity, direct reference to said first activity and indirect reference to said first activity.

However, Siegel teaches each event including of a plurality of activities and identifying activity and interval of activity (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0165, and 0168-0169).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegle's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

With respect to claim 25, McMahan teaches a method for using a computer to access data of a process as discussed in claim 52.

McMahan teaches using an apparatus to tracking the event by recording the time series or time tagged data for a state machines and retrieving the event data. McMahan does not clearly teach wherein said indirect reference includes a reference to an item used by said industrial process during said first activity.

However, Siegel teaches each event including of a plurality of activities and identifying activity and interval of activity (sections 0014, 0021-0022, 0097 and 0112 and 0114; also sections 0165, and 0168-0169).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of McMahan with the teachings of Siegel. One having ordinary skill in the art would have found it motivated to utilize the use of a plurality of activities and events as disclosed (Siegle's sections 0021-0022), into the system of McMahan for the purpose of providing a valuable alternative for case study instruction based on repetitious problem-solving practice (Siegel's section 0002), thereby, helping to learn how to review the event's content and to more fully understand the situation (Siegel's section 0112 and 0114).

Claim 27 is essentially the same as claim 16 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 16 hereinabove.

Claim 29 is essentially the same as claim 18 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 18 hereinabove.

Claim 30 is essentially the same as claim 19 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 19 hereinabove.

Claim 31 is essentially the same as claim 20 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 20 hereinabove.

Claim 32 is essentially the same as claim 21 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 21 hereinabove.

Claim 33 is essentially the same as claim 22 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 22 hereinabove.

Claim 34 is essentially the same as claim 23 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 23 hereinabove.

Claim 35 is essentially the same as claim 24 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 24 hereinabove.

Claim 36 is essentially the same as claim 25 except that it is directed to an apparatus rather than a method, and is rejected for the same reason as applied to the claim 25 hereinabove.

Conclusion

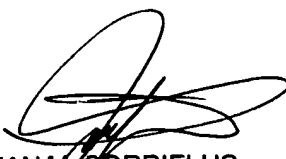
7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (**Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to (571) 273-4039 (Examiner's personal Fax No.)**). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner: Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**


JEAN M. CORRIELUS
PRIMARY EXAMINER

ANH LY 
JUL. 6th, 2006